

"Brookhaven Fancy Creamery Butter One Pound Net * * * Brookhaven Creamery Co., Inc., Brookhaven, Gloster, Natchez, Miss." The remainder was labeled in part: (Carton) "Hormel Good Food Dairy Brand Creamery Butter One Pound Net * * * Geo. A. Hormel & Co., Distributors."

The product was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

Misbranding was alleged in that the statement "One Pound Net", borne on the carton, was false and misleading and deceived and misled the purchaser, and in that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On August 18, 1934, no claimant having appeared, judgments of condemnation and forfeiture were entered, and destruction of the product was ordered.

M. L. WILSON, *Acting Secretary of Agriculture.*

22921. Adulteration and misbranding of egg noodles. U. S. v. 10 Cases and 5 Cases of Egg Noodles. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32964. Sample nos. 47676-A, 47677-A.)

This case involved shipments of alleged egg noodles that were deficient in egg solids and were artificially colored with a yellow color.

On June 18, 1934, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 cases of egg noodles at San Francisco, Calif., alleging that the article had been shipped in interstate commerce, on or about February 8 and March 21, 1932 (1934) by the Mikado Noodle Factory, from Ogden, Utah, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Mikado Brand Egg Noodles * * * Mfd. by Mikado Noodles Factory, * * * Ogden, Utah."

It was alleged in the libel that the article was adulterated in that a substance containing less egg solids than egg noodles should contain had been substituted for egg noodles, which the article purported to be, and in that the article had been colored in a manner whereby inferiority was concealed.

Misbranding was alleged in that the statement on the label, "Egg Noodles", was false and misleading and tended to deceive and mislead the purchaser, and in that the article was an imitation of and was offered for sale under the distinctive name of another article.

On September 27, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

M. L. WILSON, *Acting Secretary of Agriculture.*

22922. Adulteration of frozen eggs. U. S. v. 356 Cans of Frozen Eggs. Consent decree of condemnation and forfeiture. Product released under bond to be denatured. (F. & D. no. 33008. Sample no. 70805-A.)

This case involved frozen eggs which were found to be partially decomposed.

On June 27, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 356 cans of frozen eggs at Jersey City, N. J., alleging that the article had been shipped in interstate commerce, on or about April 28, 1934, by Swift & Co., from Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act.

The libel alleged that the article was adulterated in that it consisted in part of a decomposed animal substance.

On August 3, 1934, Swift & Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned that it be denatured with kerosene so that it could not be disposed of for human consumption.

M. L. WILSON, *Acting Secretary of Agriculture.*

22923. Adulteration of canned sardines. U. S. v. 199 Cases of Sardines. Default decree of destruction. (F. & D. no. 33017. Sample no. 49177-A.)

This case involved a shipment of canned sardines that were under processed and undergoing active decomposition.